

63. (New) A recombinant nucleic acid according to claim 50, comprising a strand of SEQ ID NO:7, or of a fragment thereof having at least 96 consecutive ~~bases~~ ^{nucleotides} thereof.

64. (New) A recombinant nucleic acid according to claim 50, comprising a strand of SEQ ID NO:7.

65. (New) A recombinant nucleic acid according to claim 50, comprising a strand of SEQ ID NO:9, or of a fragment thereof having at least 24 consecutive ~~bases~~ ^{nucleotides} thereof.

66. (New) A recombinant nucleic acid according to claim 50, comprising a strand of SEQ ID NO:9, or of a fragment thereof having at least 96 consecutive ~~bases~~ ^{nucleotides} thereof.

67. (New) A recombinant nucleic acid according to claim 50, comprising a strand of SEQ ID NO:9.

REMARKS.

New claims 10-42 and 50-67 are directed to the same subject matter as elected and canceled claims 4-6 and 8. Upon allowability of the product claims of Group II, Applicants request joinder of method claims 43-49 (in the case of an elected product claim, rejoinder will be permitted when a product claim is found allowable and the withdrawn process claim depends from or otherwise includes all the limitations of an allowed product claim, per Commissioner Lehman's Notice of February 28, 1996: Guidance on Treatment of Product and Process Claims in light of *In re Ochiai*, *In re Brouwer* and 35 U.S.C. 103(b)).

Independent claims 10 and 50 (and their dependencies) are redrafted to recite the corresponding SEQ ID NOs of the excluded EST sequences. These corresponding SEQ ID NOS are readily ascertained for the disclosed sequences on pages 11-12 (e.g. p.11, line 8), and p.33, line 22. The peptides of claim 28 are found in Table 3 on page 9. The 64 residue, 96 nucleotide and 500 bp limitations are found on p.4, line 11; p.19 line 14; and p.19, line 31, respectively. These amendments introduce no new matter.

The claims are in compliance with 35USC112, first paragraph. The objected to references to the EST's have been removed by amendment and replaced with the corresponding SEQ ID NOs.

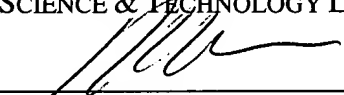
The claims are in compliance with 35USC112, second paragraph. The objected to references to "specifically hybridize" and "the opposite strand" have been removed by amendment.

The claims are in compliance with 35USC102(b). Wilson et al. discloses a 2.2 Mb sequence from chromosome III of c. elegans - representing about 2% of the c. elegans genome. Neither SEQ ID NO:05 nor any closely related sequence appears in the Wilson sequence. In fact, the natural robo homolog in c. elegans is not even on chromosome III, but rather is on the X chromosome.

The claims are in compliance with 35USC102(a). The sequence of the cited Marra et al. (Accession No. AA499193) does not fall within the scope of any pending claim.

We petition for any necessary extension of time (small entity) pursuant to 37 CFR 1.136(a). The Commissioner is hereby authorized to charge any fees, if necessary, or credit any overcharges associated with this communication to our Deposit Account No. 19-0750 (order no. B98-006-2).

Respectfully submitted,
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